

## WAGE ADJUSTMENT RATE PROGRAM WRITTEN COMMITMENT COVER SHEET

The written commitment (collectively bargained contract or other legally binding written commitment) to increase the salaries, wages, or benefits of covered employees, as defined in Section 51707, during the rate year, must be included in your Rate Adjustment Request package as required by the Wage Adjustment Rate Program governing authorities, Welfare and Institutions Code, Section 14110.65, and the Wage Adjustment Rate Program regulations (Title 22, California Code of Regulations, Division 3, Chapter 3.3, Articles 1 through 7 [commencing with Section 51700]).

In accordance with Section 51731 of the Wage Adjustment Rate Program regulations, the written commitment **MUST** contain the following elements. Please identify the location of each element in the written commitment on the first column below:

**Page / Paragraph**

- |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| _____ | 1. Specify the employee classification(s) that are covered by the written commitment.                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| _____ | 2. Specify the incremental amount or percentage of the increase to the base salary or wage, or the increase in benefits, that covered employees in each employee classification are to receive during the rate year, or any part of the rate year.                                                                                                                                                                                                                                                                                 |
| _____ | 3. Specify whether the salary or wage increases include nondiscretionary increases, such as merit increases based on length of service.                                                                                                                                                                                                                                                                                                                                                                                            |
| _____ | 4. If varying increases are to be provided as specified in Section 51730.3(a)(3), specify the name of each covered employee, or the criteria for varying salary, wage, or benefit increases in sufficient detail that covered employees within the same employee classification may determine the incremental amount or percentage of the salary, wage, or benefit increase that will be provided.                                                                                                                                 |
| _____ | 5. Specify the start date of the salary, wage, or benefit increase and the end date of the written commitment. For the 18-month period commencing February 1, 2002, through July 31, 2003, as specified in Section 51741(e), the written commitment shall specify the dates within that period for which the rate adjustment is being requested.                                                                                                                                                                                   |
| _____ | 6. Provide that prior, existing disclaimers or waivers of the employees' rights and benefits, that may effect the written commitment, without regard to how broad or how executed, do not apply to the written commitment.                                                                                                                                                                                                                                                                                                         |
| _____ | 7. Specify which method of enforcement, and the terms of that method of enforcement, is available to the covered employees in compliance with Article 5 of this Chapter and with Welfare and Institutions Code, Section 14110.65, subdivision (a)(2)(B). If the method of enforcement is not a professional dispute resolution services, such as those specified in Section 51760(c), the written commitment shall specify how selection of the neutral decision will be made to comply with the requirements of Section 51762(b). |
| _____ | 8. The facility's express assertion that it is legally bound by the terms of the written commitment. The assertion is not required if the written commitment is part of a collectively bargained contract which is legally binding on the facility under federal or state law.                                                                                                                                                                                                                                                     |

- \_\_\_\_\_ 9. Provide that the facility will not recover funds paid to the covered employees under Welfare and Institutions Code, Section 14110.65, by compensation offset or otherwise, in the event the Department initiates the recoupment of funds and related penalties pursuant to subdivision (b) of Section 14110.65.
- \_\_\_\_\_ 10. Provide that a covered employee's enforcement or attempted enforcement of the written commitment shall not constitute a basis for disciplinary or adverse action against that covered employee.
- \_\_\_\_\_ 11. Provide that the method of enforcement does not preclude a covered employee from filing a complaint concerning the written commitment with a federal, state, or other governmental administrative agency statutorily charged with protecting the rights of employees.
- \_\_\_\_\_ 12. Provide that each covered employee shall have the right to be represented by an interpreter or authorized representative, or both, of his or her own choosing, for the purpose of enforcing the written commitment, unless the written commitment is part of a collectively bargained contract which, consistent with federal or state law, is enforceable by the union that has a duty to represent the covered employee.